

1729-400  
JAH:mso

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Maurizio COSTANTINI ) Box Missing Parts  
Serial No. 09/742,308 ) Attention:  
Filed: December 22, 2000 ) Applications Branch  
For: A METHOD FOR WRAPPING A )  
FOOD PRODUCT AND A )  
PRODUCT OBTAINED THEREBY )

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

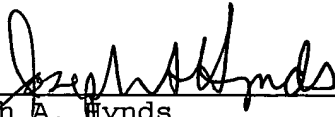
In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated March 8, 2001, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by Serial Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

\$ 130.00 (surcharge under 37 C.F.R. 1.16(e))  
710.00 (basic filing fee)  
\$ 840.00 TOTAL

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135. An additional copy of this letter is enclosed for that purpose.

Respectfully submitted,

By

  
Joseph A. Wynds  
Attorney for Applicants  
Registration No. 34,627  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 701-E, 555 13th Street, N.W.  
Washington, D.C. 20004  
Telephone: (202)783-6040

Section 8

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Complete if Known

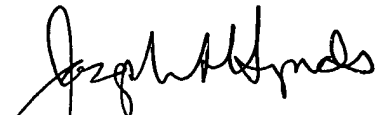
Application Number	09/742,308
Filing Date	December 22, 2000
First Named Inventor	Maurizio COSTANTINI
Examiner Name	Unassigned
Group Art Unit	1761
Attorney Docket Number	1729-400

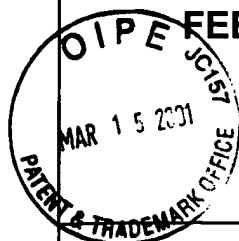
Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                      | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input checked="" type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   |  |
| <input checked="" type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

REMARKS:

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Joseph A. Hynds, Reg. No. 34,627				
SIGNATURE		DATE	3/15/01	DEPOSIT ACCOUNT USER ID	



**FEE TRANSMITTAL  
for FY 2001  
(Large Entity)**

		Complete if Known	
		Application Number	09/742,308
		Filing Date	December 22, 2000
		First Named Inventor	Maurizio COSTANTINI
		Examiner Name	Unassigned
		Group Art Unit	1761
Total Amount of Payment	(\$)	Attorney Docket Number	
840.00		1729-400	

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed
- ☒ Check
- ☐ Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
101	710	Utility filing fee	[ 710 ]
106	320	Design Filing Fee	[ ]
107	490	Plant Filing Fee	[ ]
108	710	Reissue Filing Fee	[ ]
114	150	Provisional Filing Fee	[ ]

**SUBTOTAL \$ 710.00**

**2. CLAIMS**

Total Claims	Extra Claims	Fee	Fee Paid
[ 12 ] - 20** = [ 0 ] x		\$18 =	[ 0 ]
Independent Claims [ 2 ] - 3** = [ 0 ] x		80 =	[ 0 ]
Multiple Dependent Claims +		270 =	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL \$ 710.00**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[ 130 ]
127	50	Surcharge - late provisional filing fee or cover sheet	[ ]
139	130	Non-English specification	[ ]
147	2,520	For filing a request for reexamination	[ ]
112	920	Requesting publication of SIR prior to Examiner action	[ ]
113	1,840*	Requesting publication of SIR after Examiner action	[ ]
115	110	Extension for reply within first month	[ ]
116	390	Extension for reply within second month	[ ]
117	890	Extension for reply within third month	[ ]
118	1,390	Extension for reply within fourth month	[ ]
128	1,890	Extension for reply within fifth month	[ ]
119	310	Notice of Appeal	[ ]
120	310	Filing a brief in support of an appeal	[ ]
121	270	Request for Oral Hearing	[ ]
138	1,510	Petition to institute a public use proceeding	[ ]
140	110	Petition to revive -unavoidable	[ ]
141	1,240	Petition to revive - unintentional	[ ]
142	1,240	Utility issue fee (or reissue)	[ ]
143	440	Design issue fee	[ ]
144	600	Plant issue fee	[ ]
122	130	Petitions to the Commissioner	[ ]
123	50	Processing fee under 37 CFR 1.17(q)	[ ]
126	180	Submission of Information Disclosure Statement	[ ]
581	40	Recording each patent assignment per property (times number of properties)	[ ]
146	710	Filing a submission after final rejection (37 CFR .129(a))	[ ]
149	710	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
179	710	Request for Continued Examination (RCE)	[ ]
169	900	Request for expedited examination of a design application	[ ]
195	300	Publication fee for early, voluntary, or normal publication	[ ]
196	300	Publication fee for republication	[ ]
089	200	Filing application for patent term adjustment	[ ]
090	200	Request for reinstatement of term reduced	[ ]
Other fee (specify)			[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$ 130.00**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Joseph A. Hynds, Reg. No. 34,627		
SIGNATURE		DATE	3/15/01
		DEPOSIT ACCOUNT USER ID	



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/742,308	12/22/2000	Maurizio Costantini	1729-400

CONFIRMATION NO. 8180

## FORMALITIES LETTER



\*OC000000005838733\*

6449  
BETHWELL, FIGG, ERNST & MANBECK, P.C.  
55 13TH STREET, N.W.  
SUITE 701, EAST TOWER  
WASHINGTON, DC 20004

Date Mailed: 03/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

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*A copy of this notice **MUST** be returned with the reply.*

*Madhu Tera B...*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/16/2001 EEKUBAY1 00000004 09742308

01 FC:101  
02 FC:105

710.00 OP  
130.00 OP

1729-400

JAH:mso

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of	)	Application Processing Division
Maurizio COSTANTINI	)	Customer Correction Branch
Serial No. 09/742,308	)	Examiner: Unassigned
Filed: December 22, 2000	)	Group Art Unit: 1761
For: A METHOD FOR WRAPPING A	)	
FOOD PRODUCT AND A PRODUCT	)	
OBTAINED THEREBY	)	

RECEIVED

JUL 06 2001

TC 1700

REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please issue a corrected filing receipt for the above-referenced application to reflect the following corrections.

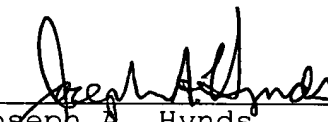
The Assignment information is missing.

Please insert the Assignment information, it should read as  
--ASSIGNMENT FOR PUBLISHED PATENT APPLICATION: SOREMARTEC S.A.--

A copy of the original filing receipt is attached for your reference with the correction marked in red.

Respectfully submitted,

By

  
\_\_\_\_\_  
Joseph A. Hynds  
Attorney for Applicants  
Registration No. 34,627  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 701-E, 555 13th Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 783-6040



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/742,308	12/22/2000	1761	0.00	1729-400	2	12	2

CONFIRMATION NO. 8180

6449

ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
555 13TH STREET, N.W.  
SUITE 701, EAST TOWER  
WASHINGTON, DC 20004

## FILING RECEIPT



\*OC000000005838732\*

Date Mailed: 03/08/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Maurizio Costantini, Alba, ITALY;

## Continuing Data as Claimed by Applicant

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 99830789.6 12/22/1999

If Required, Foreign Filing License Granted 03/07/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

ASSIGNMENT FOR PUBLISHED PATENT APPLICATION:  
SOREMARTEC S. A.  
Title

Method for wrapping a food product and a product obtained thereby

Preliminary Class

426

RECEIVED/DOCKETING	
ROTHWELL FIGG ERNST & MANBECK	
MAR 10 2001	
REFERRED TO	GAZ
FILE NO.	1729-400
OK TO FILE	

ENTERED  
3/12/01

D.W.

RECEIVED

MAR 06

T

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**Data entry by : BEYENE, MELKAM**

**Team : OIPE**

**Date: 03/08/2001**

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:



Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231